PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

John Vivian WOOD et al

Art Unit: 3731

Application No: 09/514,759

Examiner: Michael H. Thaler

Filed: February 28, 2000

For: A BIOCOMPATIBLE GRIPPING DEVICE

REPLY TO THE OFFICE ACTION MAILED 01/28/2002

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Further examination and consideration of this application are requested in view of the following Remarks.

REMARKS

Claims 1-14 stand rejected under 35 USC 103 over Bendel et al.

The invention relates to a biocompatible gripping device for surgical use. The gripping device includes at least one deformable gripping element. The deformable gripping element comprises a shape memory material that comprises functional (or residual) porosity. The deformable nature of the gripping element allows the gripping element to deform under pressure around an object that is being gripped, and the shape memory characteristic allows the gripping element to be restored to its original configuration.

The requirement that the shape memory material should comprise functional porosity does not mean merely that the shape memory material should be porous. The requirement means that the porosity of the material influences the properties of the material. In the context of the present invention, "functional porosity" requires sufficient porosity for the deformable gripping element to undergo plastic deformation in use. Thus, the functional porosity of the shape memory